



Gp. 1634

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Cantor et al.  
Serial No.: 09/030,571  
Filing Date: February 24, 1998  
For: POSITIONAL SEQUENCING  
BY HYBRIDIZATION  
Art Unit: 1634  
Examiner: Hooteman, S.

I hereby certify that this paper is being deposited with the  
United States Postal Service as first class mail in an  
envelope addressed to:  
Assistant Commissioner for Patents, Washington, D.C.  
20231, on this date.

05/31/00  
Date

Patricia Munoz

TRANSMITTAL LETTER

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Transmitted herewith is a Preliminary Amendment for filing in connection with the above-identified application. Because the cancelled claims outnumber the added claims, no filing fee is due. If it is determined that a fee is due, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-1213.

- The Commissioner is hereby authorized to charge any fee, including any submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,  
HELLER EHRLMAN WHITE & McAULIFFE LLP

By:

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### PRELIMINARY AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Preliminary to examination of the above-captioned patent application, and further to the Preliminary Amendment, filed October 14, 1999, entry of the following amendments are respectfully requested.

#### IN THE CLAIMS:

Please cancel claims 6-64 without prejudice or disclaimer.

Please amend claims 1 and 5 as follows:

- Dub D1* 1. A method for creating an array of probes, comprising [the steps of]:  
a) synthesizing a first set of nucleic acids each comprising a constant sequence of length C at a 3' terminus and a random sequence of length R at a 5' terminus;  
b) synthesizing a second set of nucleic acids each comprising a sequence complementary to the constant sequence of the first nucleic acid; and  
c) hybridizing the first set of nucleic acids with the second set of nucleic acids [to], whereby the step of hybridizing creates the array of probes.
- C1* 5. The method of claim 1 wherein the array is fixed to a solid support [and the solid support is selected from the group consisting of plastics,